

**REMARKS**

Claims 2, 3, 7, 9, 12, 156 and 164 have been amended. Claims 1, 5, 14-152, 155, 157-163 were previously cancelled. Claim 4 is cancelled in the instant amendment. Accordingly, claims 2-3, 6-13, 152-154, 156, and 164 are pending in this case.

Claims 2 and 3 have been amended to include the limitations recited in claim 4.

Formula II and III and accordingly claims 6, 9, 11-13, 156 and 164 have been amended to delete the first two S<sub>r</sub> and also to indicate that Y<sub>r</sub> are not sulfated, but Y<sub>t</sub> is sulfated. Further the amendments indicate that the third tyrosine within the epitope formula is sulfated but the first and second tyrosine within the claimed epitope formula are not. Support for these amendments can be found on page 73 of the specification, paragraph 281, discussing the ability of the sulfated epitopes to bind to the Y1 antibody. Specifically, it is noted that P-YYY\* inhibits binding efficiently at 1μM (wherein \* indicates sulfation). Accordingly, no new matter is added by any of the aforementioned amendments.

Claim 12 has been amended to indicate that the isolated epitopes are synthetic.

No new matter is added by any of the aforementioned amendments.

**Rejection of claims 2, 3, 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Mosesson et al. or Hubbel et al.**

Claims 2 and 3 have been amended. Applicants submit that the present claim amendments render this ground of rejection moot. Applicants submit that Mosesson or Hubbel do not teach or suggest the amended epitope of claims 2 and 3 wherein “q” in the Formula is 3. Accordingly, applicants respectfully request withdrawal of this ground of rejection.

**Rejection of claims 2, and 11-13 under 35 U.S.C. 102(b) as being anticipated by Leppanen et al.**

Claim 2 has been amended. Applicants submit that the present claim amendments render this ground of rejection moot. Applicants submit that Leppanen et al. do not teach or

suggest the amended epitope of claims 2 and 3 wherein “q” in the Formula is 3. Accordingly, applicants respectfully request withdrawal of this ground of rejection.

**Rejection of claims 2-4, 6-9, 10, 11, 153, 154, 156 and 164 under 35 U.S.C. 102(b) as being anticipated by Ward et al.**

Claims 2-4 have been amended as discussed above. Applicants submit that the present claim amendments render this ground of rejection moot. Applicants submit that Mosesson or Hubbel do not teach or suggest the amended epitope of claims 2 and 3 wherein “q” in the Formula is 3.

Claims 6 and 9 have been amended to indicate that in the claimed epitope, the third tyrosine is sulfated but the first and second tyrosine are not. Thus, the dependent claims also contain this limitation. Applicants submit that the present claim amendments render this ground of rejection moot. The Examiner notes that Ward discloses the sequence YDYPEE and further notes that it “was disclosed by Ward et al. to be 90% sulfated on Tyr 278 and 279 and 50% sulfated on Tyr 282.” Applicants submit that Ward et al. do not teach the claimed epitope as Ward et al. do not disclose or suggest the presently claimed epitope species, wherein the third tyrosine in the epitope is sulfated and wherein the first and second tyrosine are not sulfated. Applicants submit that that Ward’s generic teaching that the GBP-1 $\alpha$  epitope that is 90% sulfated on Tyr 278 and 279 and 50% sulfated on Tyr 282 does not disclose the claimed epitope species that has the third tyrosine sulfated and the first and second tyrosines not sulfated. Accordingly, applicants respectfully request withdrawal of this ground of rejection.

Appl. No. 10/032,037  
Amdt. dated Oct. 6, 2006

**CONCLUSION**

Applicants respectfully request entry of the present claim amendments. It is believed that the application is in condition for allowance and such action is earnestly requested. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

The Office is authorized to charge any fees that may be necessary for consideration of this paper to Kenyon & Kenyon **Deposit Account No. 11-0600**.

Respectfully submitted,

KENYON & KENYON

Date: October 6, 2006

By:

  
Teresa A. Lavenue  
Registration No. 47,737

1500 K Street, N.W.  
Washington, DC 20005  
Telephone:(202) 220-4200  
Facsimile: (202) 220-4201  
Direct: (202) 220-4258